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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/800,586	03/15/2004	David L. Reed	03-5261	1682
39820	7590	11/28/2005	EXAMINER	
EDWARD M. LIVINGSTON, PA 963 TRAIL TERRACE DRIVE NAPLES, FL 34103			SWARTHOUT, BRENT	
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

CK

Office Action Summary	Application No. 10/800,586	Applicant(s) REED, DAVID L.	
	Examiner Brent A. Swarthout	Art Unit 2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-14, 17, 18 and 20-23 is/are rejected.
- 7) ☒ Claim(s) 15, 16 and 19 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>3-15-04</u> . | 6) <input type="checkbox"/> Other: ____. |

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1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

a. Claims 1-3,5,7,10 and 12 are rejected under 35 U.S.C. 102(e) as being anticipated by Bligh.

Bligh discloses an evacuation system comprising means 10 for determining a safe direction of evacuation from a premises depending on location of a threat (col. 3, lines 25-31), and providing indication of direction of movement (Fig. 1).

Regarding claim 2, Bligh teaches notification of parties external to premises (col. 6, lines 5-15).

Regarding claims 3 and 5, Bligh teaches use of smoke sensors (col.5, lines 31-32).

Regarding claims 7, 10 and 12, Bligh teaches use of red and green indication lights (col. 4, line 62).

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

b. Claims 6,8,9,11,14 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Shand et al.

Shand teaches desirability in a fire evacuation system of providing both audible alarm 72 and visual alarm 12.

It would have been obvious to one of ordinary skill in the art to provide an audible alert in conjunction with a visible alert of Bligh, in order to provide a more comprehensive warning which would have allowed guidance to have been imparted even if visual indications were obscured.

Regarding claim 14, Shand teaches use of vocal alert means (col. 2, lines 5-25).

3. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Costa.

Costa teaches a well-known type of fire sensing is for an individual to observe the condition and pull an alarm switch (col. 4, lines 46-48).

It would have been obvious to utilize individuals to provide threat inputs as suggested by Costa in a system as disclosed by Bligh, in order to allow evacuation guidance to be initiated at the earliest possible time before other sensors may have recognized a fire condition.

4. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Shand et al. and Nishino.

Nishino discloses desirability in an evacuation system of providing coded audio signals to indicate direction to exit (col. 3, lines 60-68).

It would have been obvious to use coded audio signals as suggested by Nishino in conjunction with an evacuation system as disclosed by Bligh and Shand, in order to make it easier for a person to determine which direction to go toward an exit, so as to avoid confusion presented by plural sounding audio devices.

5. Claim 17 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Scown.

Scown discloses desirability of using a phone with autodialer of recorded messages to transmit information about a fire (col. 1, lines 61-68).

It would have been obvious to use an autodialer device as suggested by Scown in conjunction with a fire alarm system as disclosed by Bligh, in order to alert authorities to a fire for the most rapid response.

6. Claims 18 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Chen et al.

Chen teaches desirability of providing communications via internet to email location regarding fire conditions (col. 2, line 36; col.5, lines 1-12; col.5, lines 30-35).

It would have been obvious to send messages over internet to email locations indicative of a fire condition as suggested by Chen in conjunction with an evacuation system as disclosed by Bligh, in order to permit concerned parties

to be made aware of a hazardous situation as quickly as possible to ensure that proper authorities were notified.

7. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Topoi et al.

Topoi discloses desirability in a fire evacuation system of linking a plurality of evacuation systems 16 to provide evacuation protection over a plurality of premises (Fig. 1).

It would have been obvious to use a plurality of linked evacuation systems as suggested by Topoi in conjunction with an evacuation system as suggested by Bligh, in order that a plurality of floors or buildings could have been afforded protection from a single system.

8. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bligh in view of Topoi et al. and Lemelson et al.

Lemelson discloses desirability in a fire protection system of providing evacuation guidance based on location coordinates provided by GPS 56 (col. 3, lines 49-54; col.5, lines 15-17).

It would have been obvious to use GPS coordinates to provide evacuation guidance as suggested by Lemelson in conjunction with an evacuation system as disclosed by Bligh and Topoi, in order to provide individual guidance to persons to allow for determining a best route of egress from a particular location.

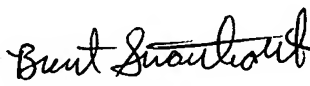
9. Claims 15,16 and 19 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Right discloses a fire alarm system.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brent A Swarthout whose telephone number is 571-272-2979. The examiner can normally be reached on M-F from 6:30 to 4:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Hofsass, can be reached on 571-272-2981. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Brent A Swarthout
Art Unit 2636

**BRENT A. SWARTHOUT
PRIMARY EXAMINER**